

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADAM DEAN FOX, et al.,

Defendants.

CASE No. 1:20-CR-183

HON. ROBERT J. JONKER

_____/

RESTRICTED ACCESS ORDER

Defendant Croft's attorney filed a public brief regarding an ongoing jury issue the evening of August 11. (ECF No. 707). The public filing occurred after two in chambers hearings that the Court conducted with counsel to address the fluid and unfolding situation. The Court does not believe the brief accurately and completely recites either the available information, the applicable law, or the Court's plan of addressing the situation consistent with applicable law. A complete record of the in-chambers proceedings will ultimately speak for itself on those issues.

For now, the Court expects to continue addressing the situation in non-public hearings and filings while the case is pending to limit the risk of mistrial. The Court had assumed counsel understood that, and would make its own filings in similar fashion. But now the Court makes the point explicitly and orders that all filings and proceedings regarding any jury issues occur in non-public hearings with restricted access filings until the jury is discharged, or until otherwise ordered by the Court.

The Clerk shall file ECF No. 707 on a restricted access basis, available for now only to the parties and the Court. All further filings on the issue shall similarly be on a restricted access basis,

available only to the parties and the Court until the jury is discharged, or until otherwise ordered by the Court. Similarly, the parties and counsel shall not make public statements regarding these jury issues until the jury is discharged, or until otherwise ordered by the Court.

IT IS SO ORDERED.

Dated: August 12, 2022

/s/ Robert J. Jonker

ROBERT J. JONKER

UNITED STATES DISTRICT JUDGE